Howrey Docket No.: 01339.0005.NPUS02 CalTech Reference No. CIT-3197 D1

## **REMARKS**

Claims 1-40 are pending in the application. Claims 2, 4-7, 10-20, 34 and 37 are amended herein. Claims 1, 9, 33 and 35 are canceled herein.

To the Examiner, Applicants express their appreciation for the indication of allowable subject matter. In this Amendment, the Applicants intend to place the Application in condition for allowance according to the Examiner's findings.

No new subject matter has been claimed in this Amendment. Claims 2 and 3-7 have been rewritten in independent form to include all limitations of canceled claim 1. The amendment to claim 2 makes claim 2 identical to original claim 9, therefore claim 9 has been canceled, and claims 10-17, which originally depended from claim 9, are now amended to depend from claim 2. Claims 18-20 have also been amended to correct dependency. Claim 34 has been rewritten in independent form to include all limitations of canceled claim 33, and claim 37 has been rewritten in independent form to include all limitations of canceled claim 35.

In view of the above, Applicants believe that all remaining claims are now in allowable form. The Examiner is therefore earnestly solicited to allow all claims and pass this Application to issuance. Applicants acknowledge the drawing objections to Figures 2, 3B, 9A-9D, and 14A, and fully intend to resolve all such objections through post-allowance formal drawing submittals.

Applicants believe no fees are due for filing this Response. If any additional fees are in fact due, the Commissioner is hereby authorized to charge Howrey Deposit Account No. 08-3038 for the same referencing Howrey Dkt. No. 01339.0005.NPUS02.

Respectfully submitted,

Dated: July \_6\_, 2004

Sean D. Burdick, Reg. No. 51,513

HOWREY SIMON ARNOLD & WHITE, LLP 301 Ravenswood Avenue
Box No. 34
Menlo Park, CA 94025
Fax No. (650) 463-8400
Telephone No. (949) 759-5219